IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE R.SUBHASH REDDY**

**WRIT PETITION NO : 1699 of 2002**

Between:

1 Sri Siridi Sai Balaji Constructions, Rep. by its Managing Partner,

Smt. B.Bhagyalakshmi,
W/o B.Appa Rao, APHB Colony, MIG 34,
Opp: Z.P.Srikakulam,] Srikakulam District.
2 D.Srinivasulu, S/o Veerareddy
Main Road, Tirupathi.

**..... PETITIONERS**

AND

1 The Executive Engineer, Roads & Buildings
N.H.Division-I, Masab Tank,
Hyderabad.
2 The Chief Engineer, Roads & Buildings,
Natinal Highways, Hyderabad.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ order or directing particularly one in the nature of Writ of Mandamus or any other appropriate writ declaring the action of the respondents in not issuing the tender schedules without deposit of E.M.Ds to the petitioners in pursuance of the respondents Tender Notice No.1501/T.A.VI/N.H.III-7/AEE.1 99-1, dt: 4-1-2002 as illegal, arbitrary and unreasonable and consequentially direct the respondents to issue tender schedules to the petitioner without insisting E.M.D. at the time of issuance of Tender Schedules and also permit the petitioners to participate in the tender process.

**Counsel for the Petitioners: MR.C.H.SATISH KUMAR**

**Counsel for the Respondents: GP FOR ROADS & BUILDINGS**

**The Court made the following:**

**ORDER**:

It is submitted by the learned counsel for the petitioners that the subject matter of the writ petition has become infructuous.

Recording the said submission, the writ petition is dismissed as infructuous. No order as to costs.

_____ R.SUBHASH REDDY, J

30.06.2005

DR

To

1 The Executive Engineer, Roads & Buildings
N.H.Division-I, Masab Tank,
Hyderabad.
2 The Chief Engineer, Roads & Buildings,
Natinal Highways, Hyderabad.

3. 2 CCs to Government Pleader for Roads and Buildings,

High Court Buildings, Hyderabad. (OUT)

4. 2 CD copies